

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 14.03.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM  
and  
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.173 of 2006

S.Sathana

... Petitioner

vs.

1. The Commissioner of Police,  
The Greater Chennai,  
Egmore,  
Chennai 600 009.

2. The Inspector of Police,  
W-9, All Women Police Station,  
Villivakkam,  
Chennai 600 049.

3. The Sub-Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

4. Muniyappan

5. Pechiyammal

6. B.Senthilnathan  
(R-6 impleaded as per  
Order dt.7.3.06 made  
in HCMP 17 of 2006)

... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the respondents to produce the 3 1/2 months old male baby temporarily called as Justin from the illegal custody of respondents-4 and 5 and hand over him to the petitioner.

For Petitioner : Mr.M.Christopher  
For R-1 to R-3 : Mr.M.K.Subramanian,  
Govt. Advocate (Crl. Side).  
For R-4 & R-5 : Mr.P.Srinivasan

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)  
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The petitioner by name S.Sathana has filed this Petition for production of her 3 ½ months old male baby by name Justin, said to be in the illegal custody of respondents-4 and 5, and to hand over the child to her.

2. Subsequent to filing of this Petition, the petitioner's husband by name B.Senthilnathan has been impleaded as 6<sup>th</sup> respondent. On our direction, the baby was brought before this Court. According to the petitioner/mother, the baby is five months old. Considering the age of the baby, we entrust the custody to the petitioner, she being the mother; and in our presence, the 6<sup>th</sup> respondent/father of the child handed over the child to the petitioner. The 6<sup>th</sup> respondent is free to meet his child at any time.

3. No further adjudication is required in this Habeas Corpus Petition, accordingly, the same is closed.

14.03.2006.

JI.

Sd/  
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Commissioner of Police, The Greater Chennai,  
Egmore, Chennai 600 009.

2. The Inspector of Police, W-9, All Women Police Station,  
Villivakkam, Chennai 600 049.

3. The Sub-Inspector of Police, Vadamadurai Police Station,  
Dindigul District.

4. The Public Prosecutor, High Court, Madras.

1 cc to Mr.P.Srinivasan, Advocate, SR.12639

1 cc to Mr.M.Christopher, Advocate, SR.12352

smv (co)

dv/21.3.06

HCP. No.173 of 2006



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